

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TEXTRON INNOVATIONS INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C. A. No. 05-486 (GMS)
	)	
	)	JURY TRIAL DEMANDED
	)	
THE TORO COMPANY,	)	
	)	
Defendant.	)	

**NOTICE OF VIDEOTAPED DEPOSITION OF DON LACKNER**

To: The Toro Company and its attorneys:

Anthony R. Zeuli, Esquire  
MERCHANT & GOULD P.C.  
3200 IDS Center  
80 South 8<sup>th</sup> Street  
Minneapolis, MN 55402

Richard L. Horwitz, Esquire  
POTTER ANDERSON & CORROON LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, Delaware 19899-0951

PLEASE TAKE NOTICE that Plaintiff, Textron Innovations Inc., will take the deposition by oral examination of Kevin Conry commencing on **October 13, 2006**, beginning at **9:00 a.m.** at the offices of Frederikson & Bryon, P.A., 200 South Sixth Street, Suite 4000, Minneapolis, Minnesota or at some other place mutually agreed upon by counsel.

Said deposition will be taken by stenographic and videographic means before a notary public and will continued from day to day as necessary until completed.

This Notice serves as formal notice of the deposition informally noticed on September 27, 2006.

Dated: September 28, 2006

THE BAYARD FIRM



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